

Approved:

Jim Ligtenberg
Jim Ligtenberg
Assistant United States Attorney

Before: THE HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA : COMPLAINT
: Violation of
- v. - : 18 U.S.C.
: § 371
JUSTIN CORDOVA, :
: Defendant. : COUNTY OF OFFENSE:
: : ROCKLAND
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SOUTHERN DISTRICT OF NEW YORK, ss.: *19m6313*

MATTHEW SANSONE, being duly sworn, deposes and says that he is a Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, and charges as follows:

COUNT ONE
(Firearms Trafficking Conspiracy)

1. From at least on or about October 19, 2018 up to and including at least on or about July 4, 2019, in the Southern District of New York and elsewhere, JUSTIN CORDOVA, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, trafficking in firearms in violation of Title 18, United States Code, Section 922(a)(1)(A).

2. It was a part and object of the conspiracy that JUSTIN CORDOVA, the defendant, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed dealers of firearms within the meaning of Chapter 44, Title 18, United State Code, would and did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business would and did ship, transport, and receive

firearms in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A).

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 17, 2018, JUSTIN CORDOVA, the defendant, traveled from Kansas to Rockland County, New York with firearms that were intended to be re-sold in New York.

b. In or about February 2019, JUSTIN CORDOVA, the defendant, traveled from Kansas to Rockland County, New York with firearms that were intended to be re-sold in New York.

(Title 18, United States Code, Section 371.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I am a Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

5. The ATF has been investigating a group of individuals for conspiring to traffic firearms into New York from Kansas. As further explained below, based on my review of ATF multiple sales records, United States Air Force records, pawn shop records, motor vehicle records, license plate reader records, and transcripts of prison telephone calls, I believe that, from on or about October 19, 2018 up to and including on

or about July 4, 2019, an unnamed co-conspirator (hereinafter "CC-1") of JUSTIN CORDOVA, the defendant, purchased at least 21 firearms in Kansas—where CC-1 is currently stationed with the United States Air Force—and that, shortly after each purchase, CC-1, CORDOVA, and/or their co-conspirators delivered the firearms to New York for re-sale.

6. Based on my review of Facebook records, Air Force records, and police records, I believe that JUSTIN CORDOVA, the defendant, uses a cellphone ending in 0207 (the "Cordova Phone"), and that CC-1 uses a cellphone number known to the Government (the "CC-1 Phone"). Specifically, I have reviewed the Facebook pages for CORDOVA and CC-1. (After reviewing police file photographs of CORDOVA and Air Force photographs of CC-1, and comparing those photographs to those on the Facebook pages, I believe that these Facebook pages are indeed CORDOVA's and CC-1's personal accounts.) CORDOVA's Facebook account lists his cellular number as the number for the Cordova Phone. CC-1's Facebook account lists his cellular number as the number for the CC-1 Phone.

7. As discussed below, both the Cordova Phone and the CC-1 Phone were used to discuss gun trafficking with individuals who were incarcerated within the Southern District of New York. These prison telephone calls were recorded. Based on my review of transcripts of the recordings and my conversations with other law enforcement agents, I believe that the recordings include discussion of JUSTIN CORDOVA, the defendant, trafficking firearms from Kansas to New York.

8. As further discussed below, on or about July 4, 2019, CC-1 and four other individuals traveled from Kansas to New York. They were pulled over by law enforcement shortly after they entered Rockland County, New York. A search of the car revealed three firearms. On or about July 5, 2019, CC-1 and another individual in the car were charged by complaint in the Southern District of New York with conspiring to traffic firearms, in violation of 18 U.S.C. § 371.

October 2018 Run

9. Based on my review of ATF multiple sale records, I know that, on or about October 19, 2018, CC-1 purchased two firearms from a pawn shop in or around Wichita, Kansas.

10. Based on my review of motor vehicle records, Air Force records, and license plate reader records, I know that CC-

I's car was in Kansas on or about October 19, 2018. Specifically, according to Kansas motor vehicle records, a vehicle known to the Government (hereinafter, "CC-1's Car") is registered in CC-1's name at McConnell Air Force Base in Kansas. Based on my review of Air Force records, I know that CC-1 is stationed at McConnell Air Force Base. And based on my review of license plate reader records, I know that CC-1's Car was in Kansas on or about October 19, 2018.

11. Based on my review of license plate reader records, I know that (1) CC-1's Car was in Rockland County, New York on or about October 21, 2018 through October 27, 2018; and (2) CC-1's Car was back in Kansas on or about October 28, 2018. Accordingly, CC-1's Car arrived in Rockland County approximately two days after he purchased two firearms in Kansas on or about October 19, 2018.

November 2018 Run

12. Based on my review of ATF multiple sale records, I know that, on or about November 19, 2018, CC-1 purchased three firearms from a pawn shop in or around Wichita, Kansas.

13. Based on my review of license plate reader records, I know that (1) CC-1's Car was in Kansas on or about November 19, 2018; (2) CC-1's Car was in Rockland County, New York on or about November 20, 2018 through November 25, 2018; and (3) CC-1's Car was back in Kansas on or about November 26, 2018. Accordingly, CC-1's Car arrived in Rockland County approximately one day after he purchased three firearms in Kansas on or about November 19, 2018.

Mid-December 2018 Run

14. Based on my review of Air Force records, I know that, on or about December 14, 2018, JUSTIN CORDOVA, the defendant, checked in as a visitor to McConnell Air Force Base in Kansas.

15. Based on my review of ATF multiple sale records, I know that, on or about December 15, 2018, CC-1 purchased two firearms from a pawn shop in or around Wichita, Kansas.

16. Based on my conversations with other law enforcement officers and my review of motor vehicle records, police reports, and license plate reader records, I believe that JUSTIN CORDOVA, the defendant, returned to Rockland County in

his vehicle, a gray, 2018 Honda Civic bearing New York license plate JAJ8588 (hereinafter, "Cordova's Car"), on about December 17, 2018. Specifically, based on my review of motor vehicle records, I know that Cordova's Car is registered to CORDOVA'S home address and to an individual sharing CORDOVA'S last name. In addition, based on my review of police reports and my conversations with other law enforcement officers, I know that, on four occasions between October 2018 and April 2019, CORDOVA was stopped by law enforcement officers while operating Cordova's Car, and that, on at least one of these occasions, he identified it as his car. Finally, based on my review of license plate reader records, I know that (1) Cordova's Car was in Indianapolis, Indiana—which is between Wichita and Rockland County—on or about December 16, 2018; and (2) Cordova's Car was back in Rockland County on or about December 17, 2019.

17. Accordingly, JUSTIN CORDOVA, the defendant, was in Kansas on or about December 14, 2018, CC-1 purchased two firearms on or about December 15, 2018, and Cordova's Car returned to Rockland County on or about December 17, 2018, approximately two days after CC-1 purchased the firearms.

18. Based on my review of prison call transcripts, I know that, on or about December 22, 2018, an incarcerated individual called the Cordova Phone. JUSTIN CORDOVA, the defendant, talked about traveling to Kansas for "them joints," complained that CC-1 had a limit on how many he could get, and expressed frustration that he wasted time going down there "for a couple."

Late-December 2018 Run

19. Based on my review of pawn shop records, I know that, on or about December 21, 2018, CC-1 purchased one firearm from a pawn shop in or around Wichita, Kansas. The firearm was a Taurus Judge revolver.

20. Based on my review of prison call transcripts, I know that, on or about December 24, 2018, an incarcerated individual called the CC-1 Phone. CC-1 stated, "I got a judge yo." When the prisoner asked, "What?," CC-1 responded, "A judge, the Taurus." CC-1 also discussed what type of car he planned to rent to make an upcoming trip.

21. Based on my review of prison call transcripts, I know that, on or about December 27, 2018, an incarcerated individual called the CC-1 Phone. CC-1 stated that he was

bringing "2-25s." Based on my training and experience, I believe this refers to two .25 caliber firearms.

22. Based on my review of prison call transcripts, I know that, on or about December 28, 2018, an incarcerated individual called the Cordova Phone. During the call, the prisoner stated that he had talked to CC-1 and complained about CC-1 mentioning that he was bringing "2-25s" over the prison phones. The prisoner and JUSTIN CORDOVA, the defendant, also discussed what type of vehicle CC-1 was renting to travel to New York.

23. Based on my conversations with other law enforcement agents, I know that, on or about December 31, 2018, JUSTIN CORDOVA, the defendant, and CC-1 visited an incarcerated individual in prison in Rockland County.

24. Accordingly, after purchasing a Taurus Judge revolver on or about December 21, 2018, CC-1 returned to Rockland County no less than ten days later.

January 9, 2019 Prison Call

25. Based on my review of prison call transcripts, I know that, on or about January 9, 2019, an incarcerated individual called the CC-1 Phone. CC-1 stated that another person ("Individual-1") gave him "two bands," and that he was supposed to buy Individual-1 "9 grips." Based on my training and experience, I believe that "two bands" means \$2,000 and that "9 grips" means 9 firearms. CC-1 also stated, "I just bought another judge, all black one now."

26. Based on my review of ATF multiple sale records, I know that, on or about January 9, 2019, CC-1 purchased a Taurus Judge revolver from a pawn shop in or around Wichita, Kansas.

January 2019 Run

27. Based on my review of ATF multiple sale records and pawn shop records, I know that, between on or about January 14, 2019 and January 21, 2019, CC-1 purchased 10 additional firearms from pawn shops in and around Wichita, Kansas. Specifically, CC-1 purchased one firearm on or about January 14, 2019, three firearms on or about January 19, 2019 and six firearms on or about January 21, 2019.

28. Based on my review of license plate reader records, I know that (1) CC-1's Car was in Indianapolis, Indiana on or about January 23, 2019; and (2) CC-1's Car was in Rockland County on or about January 24, 2019 through February 2, 2019. Accordingly, CC-1's Car arrived in Rockland County approximately three days after his purchase of six firearms on or about January 21, 2019.

Subsequent Prison Telephone Calls

29. Based on my review of prison call transcripts, I know that, on or about January 26, 2019, an incarcerated individual called the Cordova Phone. During the call, the incarcerated individual and JUSTIN CORDOVA, the defendant, discussed CC-1. CORDOVA stated that somebody gave CC-1 "2-3 bands for some joints," but that CC-1 was "missing two" and trying to find more. CORDOVA also stated, "When I went to Kansas bro, I looked to leave with 5-10, I came back with fuckin 3 bro." And CORDOVA explained that CC-1 tries to sell firearms on Instagram live and stated, "he was on live selling his judge yo."

30. Based on my review of prison call transcripts, I know that, on or about February 4, 2019, an incarcerated individual called the Cordova Phone. The prisoner and JUSTIN CORDOVA, the defendant, discussed CC-1 and another individual being together and bringing "something back" for CORDOVA. Based on my training and experience and my participation in this investigation, I believe that this was a discussion about CC-1 and another individual bringing CORDOVA a firearm from Kansas to New York.

31. Based on my review of prison call transcripts, I know that, on or about March 29, 2019, an incarcerated individual called the CC-1 Phone. The individual asked, "you still doing that . . . thing though, where you come back full and shit?" CC-1 responded, "Na na . . . I'm just gonna do it one more time you know what I mean set everyone straight and that's it," and added, "You know if you need something I got you."

July 2019 Run

32. On or about June 25, 2019, the Honorable Paul E. Davison signed a warrant to track a vehicle used by an unnamed co-conspirator of JUSTIN CORDOVA, the defendant, and CC-1. On or about that same day, June 25, 2019, the tracking device was

installed on the vehicle (hereinafter, the "Tracked Car") within the Southern District of New York.

33. On or about July 3, 2019, the signals from the tracking device indicated that the Tracked Car was in or around Wichita, Kansas. The signals further indicated that, on or about July 3, 2019, the Tracked Car stopped near a gun store and a shooting range in or around Wichita, Kansas.

34. On or about July 4, 2019, the signals from the tracking device indicated that the Tracked Car was moving back toward New York. Accordingly, law enforcement began closely monitoring the Tracked Car's location.

35. Based on my review of Instagram records and my conversations with other law enforcement officers, I know that, on or about July 4, 2019, an individual who was riding in the Tracked Car posted a photograph of CC-1 and other individuals holding firearms inside the car. The photograph was captioned, "Wit some bloods who shoot 4 fun."

36. Based on my conversations with other law enforcement officers and my review of telephone records and Facebook records, I believe that JUSTIN CORDOVA, the defendant, and CC-1 are affiliated with Bloods gang members.

37. Based on my participation in this investigation and my conversations with other law enforcement officers, I know that, shortly after the Tracked Car entered Rockland County, New York, law enforcement pulled over the vehicle and searched its contents. The vehicle contained three firearms.

38. Based on my personal participation in this investigation and my conversations with other law enforcement officers, I know that, after the Tracked Car was pulled over, one of the occupants of the car stated, in sum and substance, the following, among other things:

a. In or about December 2018, JUSTIN CORDOVA, the defendant, traveled from Kansas to New York with firearms that CORDOVA knew were intended to be re-sold in New York to gang members.

b. In or about February 2019, CORDOVA traveled from Kansas to New York with firearms that CORDOVA knew were intended to be re-sold in New York to gang members.

C. CORDOVA had originally planned to join the July 2019 trip to Kansas and back in order to pick up firearms, but CORDOVA ultimately decided not to come along.

39. Based on my personal participation in this investigation and my conversations with other law enforcement officers, I know that, on or about July 5, 2019, CC-1 and another individual in the Tracked Car were charged by complaint in the Southern District of New York with conspiring to traffic firearms, in violation of 18 U.S.C. § 371.

ATF Database Search

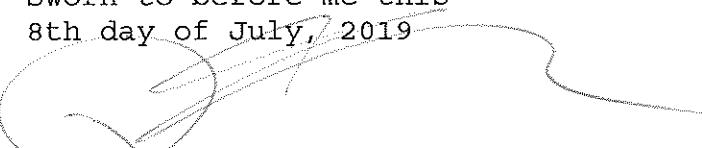
40. Based on my review of searches of an ATF database, and based on my conversations with other law enforcement agents, I have learned that from at least on or about October 19, 2018 up to and including at least on or about July 4, 2019, JUSTIN CORDOVA, the defendant, CC-1, and the other co-conspirators were not licensed firearms dealers, importers, or manufacturers.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of JUSTIN CORDOVA, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



MATTHEW SANSONE
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me this
8th day of July, 2019



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK